IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST

DYNCORP INTERNATIONAL LLC,

　　Plaintiff,

v.

UNITED STATES OF AMERICA,

　　Defendant,

and

KELLOGG, BROWN & ROOT SERVICES, INC., VECTRUS SYSTEMS CORPORATION, FLUOR INTERCONTINENTAL, INC, and PAE-PARSONS GLOBAL LOGISTICS SERVICES, LLC,

　　Intervenor-Defendants.

Case No. 19-1133C
Senior Judge Loren A. Smith

PLAINTIFF DYNCORP INTERNATIONAL LLC'S
RESPONSE TO DEFENDANT'S STATUS REPORT REGARDING
CORRECTIVE ACTION AND MOTION TO STAY PROCEEDINGS

In response to the Defendant's Status Report, DynCorp International LLC ("DI") objects only to the following sentence in the Defendant's Status Report: "The Army intends to continue to stay the current LOGCAP V contracts until the Government notifies the Court that the corrective action is complete." ECF 111 at 3.

DI does not seek an "indefinite stay" as Defendant suggests. *Id*. at 4. Instead, DI proposes only that the Court permit a defined period of time (14 days) after Defendant issues its notice of its completion of the corrective action to prevent the parties from having to engage in unnecessary motions practice at that time and allow post-corrective action to proceed in an orderly, efficient fashion. DI believes that in addition to providing only the "key decisional documents (*e.g.*, the

new price reasonableness determinations" themselves (*id*. at 4), the Government also is obligated to supplement the Administrative Record with adequate documentation explaining and supporting its new price reasonableness analysis and any additional corrective action. Thereafter, the parties should have an opportunity to review the Army's new price reasonableness evaluations and supporting documentation and raise any issues or objections the parties may have regarding the corrective action with the Court. Therefore, DI respectfully requests that the Defendant and parties be ordered to proceed as follows:

The Army shall continue to stay the current LOGCAP V contracts until the Court issues final decisions in the bid protests which will occur after: (a) the Government notifies the Court that the corrective action is complete, (b) the Government supplements the Administrative Record with documentation adequately explaining and supporting its new price reasonableness analysis and any additional corrective action, (c) the parties have an opportunity to review the evaluation and supporting documentation and raise any issues or objections the parties have with the corrective action with the Court within fourteen (14) days of receiving the supplementation of the Administrative Record, and (d) the Court has an opportunity to review and issue final orders regarding any responses or objections to the corrective action."

Finally, DI requests that the Court schedule a status conference within five days of the Defendant issuing its notice of corrective action.

Dated: December 9, 2019

Respectfully submitted,

REED SMITH LLP

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2019, a true and correct copy of the foregoing has

been filed with the Court using the electronic filing system and served on all counsel of record via

the Court's electronic filing system.

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/s/ Lawrence P. Block
Lawrence P. Block

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